

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA

AFFIDAVIT IN SUPPORT OF REQUEST
TO PROCEED IN FORMA PAUPERIS

John Mitchell # 220771
Plaintiff(s)

vs.

State of Alabama
Defendant(s)

2:08-CV-57-MHT

I, John Mitchell # 220771, being first duly sworn, depose and say that I am the plaintiff in the above entitled case; that in support of my motion to proceed without being required to prepay fees, costs or give security therefor, I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor; that I believe I am entitled to relief. I recognize that I may be prosecuted for any false statement which I may make herein.

I further swear that the responses which I have made to questions and instructions below are true.

1. Are you presently employed? YES () NO (X)

A. If the answer is YES, state the amount of your salary or wages per month, and give the name and address of your employer.

N/A

B. If the answer is NO, state the date of last employment and the amount of salary and wages per month which you received.

N/A

2. Have you received within the past twelve months any money from any of the following sources?

A. Business, profession or form of self-employment? YES () NO (X)

B. Rent payments, interest or dividends? YES () NO (X)

C. Pensions, annuities or life insurance payments? YES () NO (X)

D. Gifts or inheritances? YES () NO (X)

E. Any other sources? YES () NO (X)

If the answer to any of the above is YES, describe each source of money and state the amount received from each during the past twelve months.

N/A

SCANNED
Feb 1/24/08

3. Do you own cash, or do you have money in a checking or savings account? [Include any funds in prison accounts.] YES () NO (X)

If the answer is YES, state the total value of the items owned.

N/A

4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property [excluding ordinary household furnishings and clothing]? YES () NO (X)

If the answer is YES, describe the property and state its approximate value.

N/A

5. List the persons who are dependent upon you for support, state your relationship to those persons and indicate how much you contribute toward their support.

N/A

John Mitchell
Signature of Affiant

STATE OF ALABAMA)
COUNTY OF Montgomery)

Before me, a notary public in and for said County, in said State, personally appeared John Mitchell, whose name is signed to the foregoing complaint, who being first duly sworn, deposes on oath and says:

That the information set forth in the foregoing affidavit is true and correct to the best of his knowledge and belief.

John Mitchell
Signature of Affiant

Sworn to and subscribed before me this 22nd day of January, 2008.

Gynthia Butler
Notary Public

Montgomery County, Alabama

O R

I declare under penalty of perjury that the foregoing is true and correct.

Executed on JAN 28th 2008
(date)

John Mitchell
Signature of Affiant

CERTIFICATE

I hereby certify that the plaintiff herein has the sum of \$ 0.00 on account to his credit at the Kulby Corrections Facility institution where he is confined. I further certify that plaintiff likewise has the following securities to his credit according to the records of said institution:

I further certify that he has had the average sum on account at this institution as of the first day of each month of the immediate preceding months (not to exceed six (6) months).

- No Record Found within last 12 months*
1. \$ _____ on the 1st day of _____
 2. \$ _____ on the 1st day of _____
 3. \$ _____ on the 1st day of _____
 4. \$ _____ on the 1st day of _____
 5. \$ _____ on the 1st day of _____
 6. \$ _____ on the 1st day of _____

Anthony W. Harvest
Authorized Officer of Institution

DATE January 15, 2008

JAN. 15, 2008 USER: PMOD WILKINS3HARVEST INMACI
INMATE ACCOUNT INFORMATION FROM OCT. 01, 2007 THRU JAN. 15, 2008

AIS#:	220771	NAME:	MITCHELL, JOHN L.	CURRENT BAL:	\$0.00	
DATE OF TRANS.	PREVIOUS BALANCE	TRANS. NUMBER	NAME OF SENDER/PAYEE	TYPE OF TRANS.	TRANS. AMOUNT	AMOUNT DEDUCTED

END OF DATA ON MITCHELL, JOHN L.

No Record found within the
last 12 months
X Anthony W. Harvest
Account Closed
January 15, 2008

KILBY CORRECTIONAL FACILITY
P.O. BOX 150
MT MEIGS, ALABAMA 36057-0150

JOHN LAMAR MITCHELL A/S # 220721

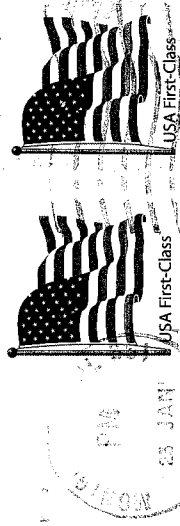
H-DORM - Bed - 2A

Kilby Correctional Facility

P.O. Box 150

Mount Meigs, AL.

36059



CLERK OF THE UNITED STATES DISTRICT COURT

P.O. Box 711,

Montgomery, Alabama.

36101

LEGAL MAIL

This correspondence is forwarded from an Alabama State Prison. The contents have not been evaluated, and the Alabama Department of Corrections is not responsible for the substance or content of the enclosed communication."